

Application No. (if known): 09/206132

Attorney Docket No.: RPI-008CPDV

## Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EV 419929867 in an envelope addressed to:

MS Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on December 3, 2004  
Date

  
Signature

Megan E. Williams

Typed or printed name of person signing Certificate

43,270  
Registration Number, if applicable

(617) 227-7400  
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Transmittal Letter (2 pages, in duplicate)

Return Receipt Postcard

Fee Transmittal (1 page, in duplicate)

Petition Pursuant to 37 C.F.R. §1.183 (2 pages)

Copy of Form PTOL-85 (1 page)

Copy of Notice of Recordation of Assignment Document Dated March 9, 1996  
(1 page)

Copy of Notice of Recordation of Assignment Document Dated March 6, 2003  
(2 pages)



12/06/04

DACH  
[Signature]

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 419929867 US, in an envelope addressed to MS Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: December 3, 2004 Signature: [Signature]

(Megan E. Williams)

Docket No.: RPI-008CPDV  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Gordon J. Freeman *et al.*

Application No.: 09/206132

Group Art Unit: 1636

Filed: December 7, 1998

Examiner: Quang Nguyen

For: TUMOR CELLS MODIFIED TO EXPRESS B7-  
2 WITH INCREASED IMMUNOGENICITY  
AND USES THEREFOR (AS AMENDED)

**TRANSMITTAL LETTER**

MS Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed are the following items for filing in connection with the above-referenced Patent Application:


1. Petition Pursuant to 37 C.F.R. S1.183 (2 pages);
2. Return Receipt Postcard;
3. Certificate of Express Mailing (1 page);
4. Fee Transmittal (1 page, in duplicate);
5. Copy of Form PTOL-85 (1 page)
6. Copy of Notice of Recordation of Assignment Document Dated March 9, 2004 (1 page)

7. Copy of Notice of Recordation of Assignment Document Dated March 6, 2003  
(2 pages)

Please charge our Deposit Account No. 12-0080 in the amount of \$130.00 covering the required fees. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 12-0080, under Order No. RPI-008CPDV. A duplicate copy of this paper is enclosed.

Dated: December 3, 2004

Respectfully submitted, ~ ~

By 

Megan E. Williams

Registration No.: 43,270

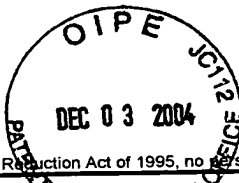
LAHIVE & COCKFIELD, LLP

28 State Street

Boston, Massachusetts 02109

(617) 227-7400

Attorney/Agent For Applicant



PTO/SB/17 (10-02)

Approved for use through 10/31/2002. OMB 0651-0032

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL  
for FY 2003**

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 130.00**Complete if Known**

Application Number	09/206132-Conf. #5096
Filing Date	December 7, 1998
First Named Inventor	Gordon J. FREEMAN
Examiner Name	Quang Nguyen
Group Art Unit	1636
Attorney Docket No.	RPI-008CPDV

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ CREDIT CARD ☐ MONEY ORDER ☐ OTHER ☐ NONE☒ Deposit AccountDeposit  
Account  
Number

12-0080

Deposit  
Account  
Name

Lahive &amp; Cockfield, LLP

The Commissioner is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☐ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)				(\$)	0.00

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims		-20** =		x		=	
Independent Claims		-3** =		x		=	
Multiple Dependent						=	

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	84	2201	42	Independent claims in excess of 3	
1203	280	2203	140	Multiple dependent claim, if not paid	
1204	84	2204	42	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)				(\$)	0.00

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	REQUESTING PUBLICATION OF SIR AFTER	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	130.00
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$) 130.00**SUBMITTED BY**

Name (Print/Type) Megan E. Williams

Registration No.  
(Attorney/Agent)

43,270

**Complete (if applicable)**

Telephone (617) 227-7400

Signature

Date

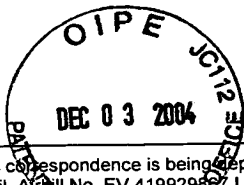
December 3, 2004

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 419929867 US, in an envelope addressed to: MS Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: December 3, 2004

Signature:

(Megan E. Williams)



I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airmail No. EV 419929897 US, in an envelope addressed to: MS Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below:

Dated: December 3, 2004

Signature:

(Megan E. Williams)

Docket No.: RPI-008CPDV  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Gordon J. Freeman *et al.*

Application No.: 09/206132

Group Art Unit: 1636

Filed: December 7, 1998

Examiner: Quang Nguyen

For: TUMOR CELLS MODIFIED TO EXPRESS B7-  
2 WITH INCREASED IMMUNOGENICITY  
AND USES THEREFOR (AS AMENDED)

**PETITION PURSUANT TO 37 C.F.R. §1.183**

MS Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The Issue Fee was mailed via Express Mail on January 28, 2004 for the above-identified application (Under Certificate of Express Mail Number EV 311021194 US). The name of the Assignee listed on the Issue Fee paper is "Genetics Institute, Inc." A copy of the Issue Fee Transmittal form (PTOL-85) is attached hereto. It has been brought to our attention that a name change of the Assignee from "Genetics Institute, Inc." to "Genetics Institute, LLC" was accepted by the Patent and Trademark Office in 2002 and was recorded at reel 013455, frame 0461. A copy of the Notice of Recordation of Assignment Document, dated March 6, 2003, recording the name change is enclosed. Failure to include the correct Assignee name on PTOL-85 was inadvertent.

Furthermore, applicant inadvertently failed to include the additional Assignee for the above-identified application, "Dana Farber Cancer Institute". A copy of the Notice of Recordation of Assignment Document, dated March 9, 1996, noting "Dana Farber Cancer Institute" as Assignee, recorded at reel 7689, frame 0997, is enclosed. The failure to include "Dana Farber Cancer Institute" on PTOL-85 was inadvertent.

12/07/2004 MAHMED1 00000060 120080 09206132


01 FC:1462 400.00 DA

Accordingly, Applicant requests that 3.81(a) be waived and the Patent be issued in the name of "Genetics Institute, LLC and Dana-Farber Cancer Institute, Inc." Please charge the appropriate fee of \$130.00 as set forth in §1.17(h) to our Deposit Account Number 12-0080.

No additional fees are believed to be due with this response. If any additional fees are found to be due, please charge them to our Deposit Account Number 12-0080.

Dated: December 3, 2004

Respectfully submitted, -

By 

Megan E. Williams

Registration No.: 43,270

LAHIVE & COCKFIELD, LLP

28 State Street

Boston, Massachusetts 02109

(617) 227-7400

Attorney/Agent For Applicants

## PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 or Fax (703) 746-4000

DEC 03 2004

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

959 7590 10/29/2003

LAHIVE & COCKFIELD, LLP  
 28 STATE STREET  
 BOSTON, MA 02109

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

## Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

(Depositor's name)

(Signature)

(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/206,132	12/07/1998	GORDON J. FREEMAN	RPI-008CPDV	5096

TITLE OF INVENTION: TUMOR CELLS MODIFIED TO EXPRESS B7-2 WITH INCREASED IMMUNOGENICITY AND USES THEREFOR

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$0	\$1330	01/29/2004

EXAMINER	ART UNIT	CLASS-SUBCLASS
NGUYEN, QUANG	1636	514-044000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

Lahive & Cockfield, LLP  
 DeAnn F. Smith, Esq.  
 Cynthia L. Kanik, Ph.D.

## 3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

Genetics Institute, Inc.

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

Cambridge, Massachusetts

Please check the appropriate assignee category or categories (will not be printed on the patent); ☐ individual ☒ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

☒ Issue Fee☐ Publication Fee☒ Advance Order - # of Copies 10

4b. Payment of Fee(s):

☐ A check in the amount of the fee(s) is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 12-0080 (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature)

Reg. No. 53,623 (Date) 1/28/04

Cynthia L. Kanik, Ph.D., Reg. No. 37,320

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

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TRANSMIT THIS FORM WITH FEE(S)



MARCH 09, 1996



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

PTAS

AMY E. MANDRAGOURAS  
LAHIVE & COCKFIELD  
60 STATE STREET  
SUITE 510  
BOSTON, MA 02109



\*100087904A\*

ENTERED  
COPY

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231.

RECORDATION DATE: 10/23/1995

REEL/FRAME: 7689/0997  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
FREEMAN, GORDON

DOC DATE: 10/03/1995

ASSIGNOR:  
NADLER, LEE M.

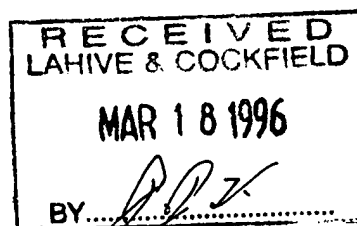
DOC DATE: 10/05/1995

ASSIGNEE:  
DANA-FARBER CANCER INSTITUTE  
44 BINNEY STREET  
BOSTON, MASSACHUSETTS 02115

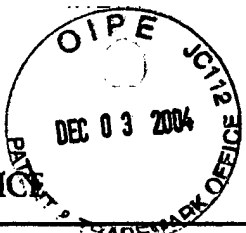
SERIAL NUMBER: 08456104✓  
PATENT NUMBER:

FILING DATE: 05/30/1995  
ISSUE DATE:

ANNIE HARRELL, PARALEGAL  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



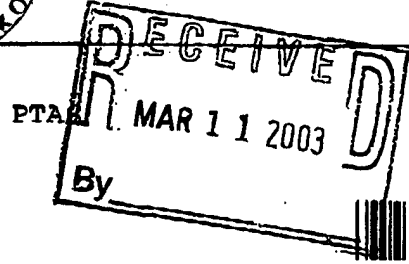




7

MARCH 06, 2003

WYETH  
KAY E. BRADY  
FIVE GIRALDA FARMS  
PATENT LAW DEPARTMENT  
MADISON, NJ 07940-0874



Chief Information Officer  
Washington, DC 20231  
www.uspto.gov



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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 10/31/2002

REEL/FRAME: 013455/0461  
NUMBER OF PAGES: 6

BRIEF: CHANGE OF NAME (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
GENETICS INSTITUTE, INC.

DOC DATE: 01/01/2002

ASSIGNEE:  
GENETICS INSTITUTE, LLC  
87 CAMBRIDGE PARK DRIVE  
CAMBRIDGE, MASSACHUSETTS 02140

SERIAL NUMBER: 09425762 AM100516 FILING DATE: 10/22/1999  
PATENT NUMBER: ISSUE DATE:

SERIAL NUMBER: 09206132 FILING DATE: 12/07/1998  
PATENT NUMBER: ISSUE DATE:

SERIAL NUMBER: 09672448 FILING DATE: 09/29/2000  
PATENT NUMBER: 6509321 ISSUE DATE: 01/21/2003

SERIAL NUMBER: 09168832 FILING DATE: 10/08/1998  
PATENT NUMBER: ISSUE DATE:

013455/0461 PAGE 2

✓ SERIAL NUMBER: 09875451  
PATENT NUMBER:

FILING DATE: 06/05/2001  
ISSUE DATE:

✓ SERIAL NUMBER: 09805801  
PATENT NUMBER:

FILING DATE: 03/13/2001  
ISSUE DATE:

✓ SERIAL NUMBER: 10068215  
PATENT NUMBER:

FILING DATE: 02/06/2002  
ISSUE DATE:

\* ✓ SERIAL NUMBER: 09645069  
PATENT NUMBER:

FILING DATE: 08/23/2000  
ISSUE DATE:

✓ SERIAL NUMBER: 09896913  
PATENT NUMBER:

FILING DATE: 06/28/2001  
ISSUE DATE:

TONYA LEE, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS